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FS MEDICAL SUPPLIES, LLC,
Plaintiff,
v.
TANNERGAP, INC. and
TANNER PHARMA UK LIMITED,
Defendants.

17 London, England
United Kingdom

Job No. 98484

Reported stenographically by:
25 LEAH M. WILLERSDORF, RMR, CRR, FBIVR, ACR, ORR2, CLR

1 So maybe tee up the dispute for him and
2 ask him.

3 BY MR. PUIG:

4 Q. Let me just ask you this: If your counsel
5 comes to you and requests to electronically collect
6 emails and text messages from your phone and to
7 disclose only the communications, emails and text
8 messages that they collect that are relevant to your
9 work at Tanner in this litigation, is that something
10 that you would object to?

11 A. I object to everything being taken off my
12 phone, yeah, absolutely.

13 Q. Okay. If your counsel could ensure that
14 no materials on your phone that are unrelated to your
15 work at Tanner are provided to us in discovery, is
16 that something that you would object to?

17 MR. ANDERSON: Objection.

18 THE WITNESS: If everything was just
19 related to the emails and WhatsApp and text messages
20 on -- between me and Tanner, then that's fine. You
21 can look at them now, if you want.

22 BY MR. PUIG:

23 Q. So you would not have any problem if your
24 counsel electronically collected text messages and
25 emails from your device, provided that they committed

1 not to turn over to us any records that they'd
2 collected that are unrelated to your work at Tanner?

3 MR. ANDERSON: Well, objection. He's
4 already told you the answer to that one.

5 BY MR. PUIG:

6 Q. You can answer.

7 MR. ANDERSON: I'm not trying to obstruct.
8 Just be honest with him. He's obviously told us he
9 doesn't want any collection even by us of the
10 non-Tanner stuff.

11 THE WITNESS: Yeah.

12 BY MR. PUIG:

13 Q. Okay. If it were possible to, at the
14 point of collection, collect --

15 MR. ANDERSON: Only.

16 BY MR. PUIG:

17 Q. -- only the emails and text messages
18 related to your work at Tanner, is that something that
19 you would be okay with?

20 A. Yes.

21 Q. And if, in order to do that, to make the
22 distinction between emails and text messages that are
23 related to your work at Tanner and those that are not,
24 your device had to be hooked up to a computer to
25 assist that process, is that something that you would

1 object to?

2 A. Well, it depends what the computer was
3 going to do with everything else that was on my phone.
4 If it stays on my phone and doesn't go anywhere, then
5 that's fine. But if everything from my phone ends up
6 on a computer, then that's not fine.

7 Q. Okay. I want to ask you about, just
8 generally, the documents and records that you have
9 related to this case.

10 Did there come a point in time when
11 somebody at the company or one of the company's
12 lawyers came to you and said, "We need to preserve
13 documents and other records that are related to this
14 lawsuit"?

15 A. Yes, I think that would have been said,
16 yeah.

17 Q. Do you know when that was said?

18 A. I don't.

19 Q. Was it in December of 2020?

20 A. I don't know when it was said.

21 Q. You have no sense of when you were told?

22 A. No.

23 Q. You said that you think that that's
24 something that would have occurred?

25 A. Yeah.